

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
PRIME PROPERTY & CASUALTY INSURANCE, :
INC., :
: Plaintiff, : 23-CV-935 (JMF)
: :
-v- : : ORDER
: :
PEDRO CARDENAS et al., :
: :
Defendants. : :
: :
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JESSE M. FURMAN, United States District Judge:

On February 7, 2023, the Court ordered Plaintiff to amend its Complaint to properly allege the citizenship of each party. ECF No. 10. On February 8, 2023, Plaintiff filed an amended complaint, ECF No. 13 (“FAC”), but disturbingly did not cure *any* of the jurisdictional pleading defects the Court identified in the original Complaint, to wit: Plaintiff did not allege the state of citizenship of Cardenas and the state or country of incorporation and principal place of business of Fancy Foods. Plaintiff did identify the “sole member” of Fancy Food Logistics, LLC, but failed to allege his state of citizenship.¹

Although the Court would be on firm ground dismissing without prejudice, it will grant Plaintiff until **February 14, 2023**, the deadline set forth in the Court’s prior order, to cure all of the defects in its allegations relevant to subject-matter jurisdiction. If, by that date, Plaintiff is unable to do so, the Court will dismiss the case without prejudice, without further opportunity to cure, and without further notice to any party.

Finally, Plaintiff is reminded that, pursuant to Rule 1.B of the Court’s Individual Rules and Practices in Civil Cases, “[a]ny amended or corrected filing (including but not limited to amended pleadings) shall be filed with a redline showing all differences between the original and revised filing.”

SO ORDERED.

Dated: February 9, 2023
New York, New York



JESSE M. FURMAN
United States District Judge

¹ Plaintiff again referred to Fancy Food Logistics, LLC as a “foreign corporation,” FAC ¶ 10, even though its name suggests that it is a limited liability company.